A Declaration

of the fauourable dealing of her Maiesties Commissioners *appointed for the Examinati-* on of certaine Traitours, and of tortures vniustly reported to be done vpon them for matters of re-ligion.

1583.

To the Reader.

GOod Reader, although her Maiesties moſt milde and gracious gouernement bee ſufficient to defende it ſelfe againſt thoſe moſt ſlaunderous reportes of heatheniſh & vnnatural tyrannie and cruell tortures pretẽded to haue bene executed vpon certaine traitors, who lately ſuffred for their treaſon, & others, aſwell ſpread abroad by Runnagate Ieſuites and Seminary men in their ſeditious bookes, letters, & libels, in forreine countries and Princes Courtes, as alſo infinuated into the hearts of ſome of our owne countrie men and her Maieſties Subiectes: Yet for thy better ſatiſfaction I haue conferred with a very honeſt Gentlemã whom I knew to haue good & ſufficient meanes to deliuer the trueth againſt ſuch forgers of lyes and ſhameles ſlaunders in that behalfe, which he and other that do know & haue affirmed the ſame will at all times iuſtifie. And for thy further aſſurance and ſatiſfaction herein, he hath ſet downe to the vewe of all men theſe notes following.

TOuching the racke and torments vſed to ſuch traitors as pretended them ſelues to bee Catholiques, vpon whom the ſame haue bene exerciſed, it is affirmed for trueth, and is offered vpon due examination ſo to be proued, to bee as followeth. Firſt, that the formes of torture in their ſeueritie or rigour of execution, haue not bene ſuch and in ſuch maner perfourmed, as the ſclaunderers and ſeditious libellers haue

ſclaunderouſly and malitiouſly publiſhed. And that euen the principall offender Campion himſelfe, who was ſent and came from Rome and continued here in ſundrie corners of the Realme, hauing ſecretly wandered in the greateſt part of the ſhieres of Englande in a diſguiſed ſort, to the intent to make ſpeciall preparation of treaſons, and to that ende & for furtherance of thoſe his labors, ſent ouer for more helpe and aſſiſtance, and cunningly and traiterouſly at Rome before he came from thence, procured tolleration for ſuch prepared rebels to keepe themſelues couert vnder pretence of temporarie and permiſſiue obedience to her Maieſtie the ſtate ſtanding as it doth, but ſo ſoone as there were ſufficient force whereby the bull of her Maieſties depriuation might bee publikely executed, they ſhoulde then ioyne altogether with that force vpon peine of curſe and damnation: that very Campion, I ſay, before ỳ conference had wᵗ him by learned men in ỳ Tower, wherin he was charitably vſed, was neuer ſo racked, but ỳ he was preſently able to walke, & to write, & did preſently write & ſubſcribe al his confeſſions, as by the originales thereof may appeare. A horrible matter is alſo made of ỳ ſtaruing of one Alexander Briant, how he ſhould eate clay out of ỳ walles, gathered water to drinke from the droppings of houſes, wᵗ ſuch other falſe oſtentations of immanitie: where ỳ truth is this, ỳ whatſoeuer Briant ſuffered in want of foode, he ſuffered the ſame wilfully & of extreme impudent obſtinacie againſt ỳ minde & liking of thoſe that deale wᵗ him. For certaine traiterous writings being founde about him, it was thought conuenient by conference of hands to vnderſtand whoſe writing they were, & thereupon he being in her Maieſties name commaunded to write, which he coulde very well doe, and being permitted to him to write what he woulde himſelfe, in theſe termes, that if he liked not to write one thing, he might write an other or what he lyſted (which to doe being charged in her Maieſties name was his duetie, and to refuſe was diſloyall and vndutifull:) yet the man woulde by no meanes be induced to write any thing at

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all. Then was it commanded to his keeper to giue vnto him such meate, drinke, and other conuenient necessaries as he would write for, and to forbeare to giue him any thing for which he would not write. But Bryant being thereof aduertised and oft moued to write, persisting so in his curst heart by almost two dayes and two nightes, made choise rather to lack foode, then to write for ỹ sustenance which hee might readely haue had for writing, & which he had indede redely & plentifully, so soone as he wrote. And as it is sayde of these two, so is it to be truely sayde of other, with this, that there was a perpetuall care had, and the Queenes seruantes the Warders, whose office and act it is to handle the racke, were euer by those that attended the examinations specially charged, to vse it in as charitable maner as such a thing might be.

Secondly it is said, and likewise offered to be iustified, ỹ neuer any of these Seminaries, or such other pretended Catholiques which at any time in her Maiesties raigne haue bene put to ỹ racke, were vpon the Racke or in other torture demanded any questiõ of their supposed conscience, as what they beleeued in any point of doctrine or faith, as the Masse, Transubstantiation, or such like: but onely with what persons at home, or abroad, and touching what plats, practises and conferences they had dealt about attempts against her Maiesties estate or person, or to alter the Lawes of the Realme for matters of Religion, by treason or by force, and howe they were perswaded them selues, and did perswade other touching the Popes bul and pretense of authoritie, to depose Kings and Princes, and namely, for depriuation of her Maiestie, and to discharge subiectes from their allegeance, exprelling herein alway the Kingly powers and estates, and the subiectes allegeance ciuily, without mentioning or meaning therein any right that the Queene as in right of the Crowne, hath ouer persons Ecclesiasticall being her subiectes. In all which cases, Campion & the rest neuer answered plainely, but sophisti-

cally, deceitfully and traiterously, restraining their confession of allegeance onely to the permissiue forme of the Popes toleration. As for example, if they were asked, whether they did acknowledge them selues the Queenes subiectes and woulde obey her, they woulde say, Yea: for so they had leaue for a time to doe. But adding more to the question, and they being asked, if they woulde so acknowledge and obey her any longer then the Pope woulde so permit them, or not withstanding such commandement as the Pope woulde or might giue to the contrary, then they eyther refused so to obey, or denyed to answere, or said, that they coulde not answere to those questions without daunger: which very answere without more saying, was a plaine answere to all reasonable vnderstanding, that they woulde no longer be subiectes, nor perswade other to be subiectes, then the Pope gaue licence. And at their very arraignement when they laboured to leaue in the minds of the people and standers by, an opinion that they were to dye, not for treason, but for matter of faith and conscience in doctrine, touching the seruice of God, without any attempt or purpose against her Maiestie, they cryed out that they were true subiectes, and did and would obey and serue her Maiestie. Immediately, to proue whether that hypocriticall and sophistical speach extended to a perpetuitie of their obedience, or to so long time as the Pope so permitted, or no, they were openly in place of Iudgement asked by the Queenes learned counsell, whether they would so obey and be true subiectes, if the Pope commanded the contrary: they plainely disclosed them selues in answere, saying by the mouth of Campion, this place (meaning the Court of her Maiesties Bench) hath no power to enquire or iudge of the holy Fathers authoritie, and other answere they would not make.

Thirdly, that none of them haue bene put to the racke or torture, no not for the matters of Treason, or partnership of treason or such like, but where it was first knowen and

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euidently probable by former detections, confessions, and otherwise, that the partie so racked, or tortured, was guylty, and did knowe, and coulde deliuer trueth of the thinges wherewith he was charged: so as it was first assured, that no innocent was at any time tormented, and the racke was neuer vsed to wring out confessions at aduenture vpon vncerteinties, in which doing, it might bee possible that an innocent in that case might haue bene racked.

Fourthly, that none of them hath bene racked or tortured, vnlesse hee had first sayd expressely, or amounting to asmuch, that he wil not tell the trueth, though the Queene commaund him. And if any of them being examined did say he could not tell, or did not remember, if hee woulde so affirme in such maner as Christians among Christians are beleeued, such his answere was accepted, if there were not apparant euidence to proue ẏ he wilfully said vntruely. But if he said ẏ his answere in deliuering trueth, shoulde hurt a Catholike, and so be an offence against charitie, which they said to be sinne, and that the Queene coulde not commande them to sinne, and therefore, howsoeuer the Queene commaunded, they would not tell the trueth, which they were knowen to know, or to such effect: they were then put to the torture, or els not.

Fiftly, that the proceeding to torture was alway so slowly, so vnwillingly, and with so many preparations of perswasions to spare themselues, and so many meanes to let them know that the trueth was by them to be vttered, both in duetie to her Maiestie, & in wisedome for themselues, as whosoeuer was presẽt at those actiõs, must needes acknowledge in her Maiesties ministers, a ful purpose to follow ẏ example of her owne most gratious disposition: whome God long preserue.

Thus it appeareth, ẏ albeit by the more generall lawes of nations, torture hath bene, and is lawfully iudged to be vsed in lesser cases, and in sharper maner for inquisition of trueth in crimes not so ueere extending to publike danger,

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as these vngratious persons haue committed, whose conspiracies and the particularities thereof it did so much impoꝛt and behoue to haue disclosed, yet euen in that necessarie vse of such pꝛoceeding, enfoꝛced by ẏ offenders notoꝛious obstinacie, is neuertheless to be acknowledged, the swecte temperature of her Maiesties milde and gratious clemencie, & their slaunderous lewdenes to be the moꝛe condemned, that haue in fauour of haynous malefactours, and stubboꝛne traytoꝛs, spꝛed vntrue rumoꝛs and slaunders to make her mercifull gouernment disliked vnder false pꝛetence, & rumoꝛs of sharpenesse and crueltie, to those against whome nothing can be cruel, and yet vpon whome nothing hath bene done, but gentle and mercifull.

FINIS.